GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Commercial Taxes Department – Human Resources - Transfers and posting of Employees – Lifting Ban on Transfers –Guidelines/ Instructions – Orders – issued.

**********

REVENUE (COMMERCIAL TAXES-I) DEPARTMENT

G.O.Ms.No.474 Dated: 27.06.2022.

Read the following:

1. G.O Ms. No 45, Finance (HR. I-PLG & policy) Dept, Dt 24.06.2019.
2. G.O Ms. No.59, Finance (HR. I-PLG & policy) Dept, Dt 04.07.2019.
3. G.O Ms. No.116 Finance (HR. I-PLG & policy) Dept, Dt 07.06.2022.
4. Department re -structuring GO.Ms.No.419 Revenue (CT.I) Dept., dt.01.06.2022.
5. Letter from the CCST in ref No. REV03-17025(31)/4/2022-D SEC-CCT Dt.08.06.2022.
6. G.O Ms. No.122 Finance (HR. I-PLG & policy) Dept, Dt 16-06-2022.

********

**ORDER:**

In the G.O's read above, orders have been issued imposing a ban on transfer of all Government employees in the state.

2. In pursuance of the orders issued in the G.O. 3rd and 6th read above relaxing the ban on transfers and in the circumstances, reported by the Chief Commissioner of State Tax, Andhra Pradesh. Vijayawada in his letter 5th read above, Government hereby accord permission to the Chief Commissioner of State Tax to effect the transfers/postings in various cadres of employees in Commercial Taxes Department for the year 2022 duly following the guidelines mentioned below.

**I. General guidelines:**

1. The existing ban on transfers of employees of Commercial Taxes Department is hereby lifted from 8thJune 2022 to 30th June 2022.
2. These guidelines apply to all the Gazetted and Non-Gazetted Officers of the Commercial taxes Department of all cadres.
3. Service tenure will be counted based on period worked at a duty station as on date of the GO in reference 3rd read above i.e., 07.06.2022.
4. All the Gazetted Officers and Non-Gazetted officers who completed two years of continuous service in the present post or five years of continuous service in a duty station shall be mandatorily transferred. However, if the officers work less than 2 years in the present post and less than 5 years in the present station will not be normally transferred except for administrative reasons.
5. In case of all the Gazetted and Non-Gazetted officers who are/were on deputation/on duty (to work in places other than the original place of posting), their service tenure would be counted from the date of joining in the original place of posting for the purpose of current transfers.

( P.T.O )

6. Request transfers may be considered for Gazetted officers who have not completed two years of service in the present post or five years of service in the present station. However, such transfers shall be limited, based on exception and not a rule, and shall not constitute more than 5 percent of the employees in any working cadre and subject to fulfillment of one or more of the conditions and sequence of order of priority is as mentioned below (provided necessary documentation is submitted).
    a. Employees having mentally challenged children seeking transfer to a place where specific medical facilities are available.
    b. Medical grounds for the diseases (either self or spouse or dependent children and dependent parents) of Cancer, Open Heart Operation, Neuro Surgery, Kidney Transplantation for seeking transfer to places where such facilities available.
    c. Employees with disabilities of 40% or more as certified by a competent authority as per "persons with disabilities".
    d. Widows, employees appointed on Compassionate appointment.
    e. Husband and wife cases (only one of the spouses shall be shifted following the prescribed procedure) once the facility is utilized, the next request can be made only after six years for Gazetted Officer and eight years for non-Gazetted officer.
7. While considering the request transfers based on above conditions as per para 6, preference shall be given to the employee with the longest tenure at a present post/duty station, seniority in the cadre.

**8. <u>Service tenure:</u>**

a. Service tenure in all cadres at a duty station shall be counted for calculating the period of stay. Duty station means place (City/Town/Village) of actual working and not office or institution. The transfers in a particular duty station shall be effected based on the longest tenure in duty station worked in all cadres put together.
b. However, Gazetted and Non - Gazetted officers working in the Head office are excluded from the purview of tenure restrictions. Officers can be posted to Head Office or transferred from Head-Office as per administrative convenience and transfers will be taken up by the competent authority.

9. However, in certain divisions/Nodal divisions/districts where there is difficulty in getting matching number of vacancies in a duty station to effect transfers, transfers will be effected between different divisions in places namely Vijayawada and Guntur while in other cases transfers, in a particular duty station shall be effected based on the longest tenure in duty station worked in all cadres put together.

10. In general, the transfers shall be done on the basis of performance-based as decided by the committee.

11. The performance of the officers/staff from Joint Commissioner (ST) to Jr. Assts. shall be evaluated based on the performance indicators. The performance of the Gazetted officers is evaluated by the Commissioner and the performance of the Non-Gazetted officers shall be evaluated by the Joint Commissioners (ST) concerned.

( Contd....3 )

12. The Officers/Staff in the transfers list and the arising vacancies will be communicated in advance. Each officer in the cadre of Assistant Commissioner (ST) and above coming under para 5 will be allowed to opt for three stations of their choice other than the immediately preceding two stations worked in any cadre. The choice of the officers will be considered only to the extent possible.

13. The Officers/Staff in the transfers list and the arising vacancies will be communicated in advance. Each officer in the cadre of GSTO and Deputy Assistant Commissioner of state tax coming under para 5 will be allowed to opt for three stations of their choice in the parent zone other than the immediately preceding two stations worked in any cadre. The choice of the officers will be considered only to the extent possible.

14. Officers/Staff shall invariably be transferred from their existing duty station on promotion unless no such posts exist at a different station.

15. The Government will effect transfers of Deputy Commissioners (ST) and above cadre and the Chief Commissioner (ST) shall effect transfers of Assistant Commissioners (ACs) Deputy Assistant Commissioner (Dy. ACs).

16. The Joint Commissioner (ST) of nodal division shall effect transfers of Goods and Service Tax Officers(GSTOs) and Senior Assistants working within the nodal division and the decision of transfers/postings will be taken by the Committee consisting of the Joint Commissioner (ST) of the divisions and the Joint Commissioner (ST)(Appeals) within the nodal division.

17. The Joint Commissioner(ST) of Vijayawada-I Division will effect transfers of Junior Assistants working in NTR and Krishna districts after consultations with Joint Commissioner (ST), Vijayawada-II division. The Joint Commissioner of Guntur-I division will effect transfers of Junior Assistants working in Guntur district after consultations with Joint Commissioner(ST) Narasaraopet division. Likewise Joint Commissioner of State Tax, Chittoor Division will effect transfers of Jr. Assts. working in Chittoor Division after consultation with Joint Commissioner (ST), Nellore Division and the Joint Commissioner (ST), Kadapa Division will effect transfers of Jr. Assts. after consultation with Joint Commissioner (ST), Chittoor Division. The Joint Commissioners (ST) of other divisions will effect transfers of Junior Assistants within the districts.

18. Head Office posting are excluded from the purview of the above guidelines. Officers can be posted to Head Office or transferred from Head-Office as per administrative convenience and transfers will be taken up by the competent authority as discussed in the para-No.15.

19. The Gazetted and Non-Gazetted Officers, who are retiring on or before 31-05-2024 shall not be transferred except in the public interest or on request of the Gazetted officer or Non-Gazetted officer irrespective of the period of working in a duty station.

20. The standing instructions on the transfers of Gazetted officers issued vide G.O.Ms. No.116, GAD (Services-A) department Dt.21st

(Contd....4)

February1990 and GOMs No.157 GAD (Services -A) Department Dt.19-03-2008 will be apply. The Native District/ revenue division will be determined by the entry in the Service register of the employee.

21. The standing instructions on the transfers of Office bearers of recognized employees' unions/associations issued in Circular Memo No. GAD01-SW-SERA/27/2019-SW, GA(SW) Dept., Dated:23.01.2020 and Circular Memo No.GAD01-SW0MISC/22/2022-SW-1, GA(SW) Dept., Dated:28.04.2022 will apply.

22. The requests of the Gazetted and non- Gazetted officers having any charges/ACB/Vigilance cases pending against him/her shall not be considered for transfer. The authority shall indicate that fact clearly against the name of that employee if there is any request for transfer.

23. The visually challenged Gazetted and Non-Gazetted Officers are exempted from transfers except when they make any specific request for transfer. As far as possible, these categories of employees preferably to be posted at a station/ place of their choice subject to availability of a clear vacancy.

24. Further, the transfer &Postings made through "order to serve" in the restructured District/Division offices during the recent District restructuring are also exempted from the transfer relaxation.

25. All transfers effected, where officers/staff indicated preference for stations shall be treated as request transfers for the purpose to sanction of TTA and other transfer benefits.

26. The counseling may be conducted wherever opined necessary in the following order.
    a. General category
    b. Request transfers as per Para 8.

27. Notwithstanding anything contained in the above guidelines, any Gazetted /Non-Gazetted officer can be transferred from any post/station irrespective of tenure on the grounds of administrative reasons/ grading in Annual Confidential Reports of the controlling officers. In such cases the individual can be transferred to any post /station and there will not be any counseling /options to any Gazetted /Non-Gazetted officers

**II. Procedure for Transfers:**

1. All the procedures for the transfers i.e., submission of application, publication of vacancies, publication of merit list based on performance and station seniority, submission of requests etc., should be done online.
2. All employees who completed tenure as per para nos 4 /5 of I, who are eligible for request transfers as per para no 6 of I should submit their application through online. After submitting online application, applicant should download the PDF format of application and submit the signed copy to the respective designated authority.
3. All the appointing authorities shall publish the list of vacancies, list of vacancies should include clear vacancies and arising vacancies.

(Contd....5)

4. The employees should indicate maximum three choices of stations/place as enumerated in para no.12/13 of I. In case of non-submission of choices of stations/places, then posting will be allocated based on the availability of vacancies.
5. All postings will be allocated online. For categories to which Government is the competent authority to issue transfer orders, proposals should be submitted to the Government by the HoD, in time.

**III. Schedule forTransfers:**

1. The following committee shall take up the counseling in respect of 2nd and 3rd level Gazetted officers.
    a) Chief Commissioner of State tax. ---- Chairman.
    b) Secretary to the Chief Commissioner of state tax- Member/ convener.
    c) Commissioner (ST) Legal
    d) Commissioner (ST) Policy
2. The following committee shall take up the counseling in respect of 1st level Gazetted officers and senior Assistants.
    a) Joint Commissioner of State Tax of Nodal division---- Chairman.
    b) Joint Commissioner of State Tax in the Nodal division- Member
    c) Joint Commissioner (Appeals) of concerned Zone ---- Member
3. The following committee shall take up the counseling in respect of junior Assistants.
    a) Joint Commissioner of state tax of the division ---- Chairman.
    b) Deputy Commissioner of State Tax (Intelligence) of the division- Member
    c) Deputy Commissioner of State Tax (Audit) of the division- Member.

**Time schedule:-**

a) Identification and notification of vacancies based on tenure by **23.06.2022**.
b) Receipt of request applications **27.06.2022.**
c) Scrutiny of request of applications **28.06.2022**.
d) Counseling if required on **29.06.2022**.
e) Finalization of transfer orders on **30.06.2022**.

4. The competent authority shall display the list of vacancies as per stations arising due to compulsory transfer of Gazetted and Non-Gazetted officers by 23.06.2022.
5. All the applications on transfers shall file through online by 27.06.2022 and signed copy of application shall reach to the offices of competent authorities by 27.06.2022.
6. The competent authority shall examine/scrutinize the applications and shall process by 28.06.2022.
7. Counseling if required on 29.06.2022.
8. The orders of transfers shall be issued by the competent authority by 30.06.2022.
9. All the transferred employees shall join at their new stations on or before 01.07.2022 F.N. without fail.

(Contd....6)

10. The existing ban on transfer of employees imposed vide references 3rd and 6th read above is relaxed for the period from 8thJune to 30th June 2022 to ensure right placement of employees to secure optimum productivity and commitment to furtherance of Government own tax revenues.

11. The ban on transfers shall come into force with effect from 1st July, 2022.

12. All the deputations/on duty postings issued earlier are deemed to be cancelled from the date of transfer proceedings issued by the competent authorities.

13. Any deviations from the above guidelines will be viewed seriously and the concerned transferring authority will be held responsible for such deviations.

3. The Chief Commissioner of State Tax, A.P. Vijayawada shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

N.GULZAR
SECRETARY TO GOVERNMENT (CT) FINANCE

To
The Chief Commissioner of State Ta, A.P., Vijayawada.
The Director, Treasuries and Accounts, A.P., Ibrahimpatnam.
The Pay and Accounts Officer, A.P., Ibrahimpatnam.
All District Treasury Offices in the State.
Copy to:
OSD to Hon'ble Minister (CT)
PS to Secretary to Government (CT) Finance.

// FORWARDED :: BY ORDER //

SECTION OFFICER